

Atlanta, Jun 8 2016

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U.S.D.C. - Atlanta

JUN 10 2016

JAMES N. HATTEN, Clerk
By: Deputy Clerk

U.S. District Court Clerk:

1:16-CV-1933

Excuse that does not direct me to someone special. My name is Adriana Cano, I'm André's Cano aunt who asked me the favor of bringing these documents to you for help on this case. He is now at Johnson State Prison, his GDC: 1001265017.

If someone can take this case I thank you from the heart. My phone number is 404-494-6059 and my address is 6344 Alpine Rd. Rex, GA. 30273.

Cordially.

Adriana Cano

1:16-CV-1933

1A



Henry County Sheriff's Office

Inmate Grievance Form

Grievance # 20150702 Sheriff Office Use Only Date Logged In: 7-6-2015
Deputy Name: _____ Signature: LT A Bula

<u>Gomez</u>	<u>Andres</u>	<u>C</u>	<u>544824</u>	<u>A-2-26d</u>
Inmate Last Name	First	MI	Pin #	Cell #

Part A – Grievance

Include names of persons involved, date, location of incident, or conditions and witnesses:

SEE
ATTACHMENT
A

Solution Desired:


Resolution Desired: _____

SEE ATTACHMENT B

6-30-15
Date

Signature of Inmate

Part B – Response (15 day limit)

 7-15-2015
Date


Signature of Jail Division Commander or Representative

Distribution: Original – Return to Inmate after completion **Copy** – Administrative Remedy File
Inmate Grievance Form 9-8-14

Grievance Attachment: A

On the 16th of April, I Andres Gomez received a copy of my Rule Violation Report from the incident that occurred on 4-12-2015 at 1928 hours. First it took longer than 72 hours to be presented with the report. It states in the Henry County Handbook, "Any Violation Report that takes longer than 72 hours to answer is suppose to be dismissed." The write up was brought to me by officer Noble 4 days later. Also in the Henry County Handbook it states, "That an inmate has the right to appeal the write up". The guidelines also state that, "you have to have a proper hearing with a Sgt., The inmate accused, The accusing officer, and an Inmate Representative in order for a decision to be made. I did not receive the proper process, and my inmate rights was ignored. Due to this I was falsely convicted of Rules and Regulations of the jail. I filled out a Rebuttle Form and turned it in to Sgt., Clark who turned the form over to Ms. Noble. Nothing came of this matter. I aske Ms. Noble about my Rebuttle Form and she said she never received it. This is also the officer I asked for an appeal. Nothing came of the appeal matter also. Sgt. Clark with whom I spoke with again told me himself that he placed the form in a mail box personally. My rights as an inmate was violated, I was falsely tazed, mishandled, slammed, in lockdown for 10 days, and charged with broken statutes. Due to this improper process, I have been stressed emotionally and mentally because of the matter. The said situation has caused me to have more time in the Henry County Jail than nessesary also a Probation Violation. Something has to be done about the matter that was ignored. I was wrongfully accused and i'm seeking further action in this matter. Hopefully this situation will get resolved.

Andres C. Gomez
x Andres C. Gomez

Grievance Solution Attachment: B

Solution Desired: I do not know what action needs to be taken in this manner. I do know this was against inmate rights. I'm open for suggestions, but I am also seeking further action and looking to speak with a Attorney. If there's something that could be done I'm willing and open for suggestions.

Andres C. Gomez
X Andres C. Gomez

1:16-CV-1933

1B



Henry County Sheriff's Office

Inmate Grievance Form

Grievance # <u>20150703</u>	Sheriff' Office Use Only Date Logged In: <u>7-6-2015</u>
Deputy Name: _____	Signature: <u>H & B</u>

<u>Gomez</u>	<u>Andres</u>	<u>C</u>	<u>544824</u>	<u>A-2-261</u>
Inmate Last Name	First	MI	Pin #	Cell #

Part A – Grievance

Include names of persons involved, date, location of incident, or conditions and witnesses:

SEE ATTACHMENT A AND B

Solution Desired: _____

6-30-15 [Signature]

Date Signature of Inmate

Part B – Response (15 day limit)

I HAVE REVIEWED this incident to include VIDEO FOOTAGE, Incident Reports including the Officers, and Inmate STATEMENT as well as Interviewing Inmate Gomez. I have determined that there was no Policy Violations and that this Grievance is Unfounded. I have shared my Findings with Inmate Gomez.

there no cameras in the dorm. and he could not show me the footage from the tazer camera

07/28/15 Capt. Rick C. [Signature]

Date Signature of Jail Division Commander or Representative

Distribution: Original – Return to Inmate after completion Copy – Administrative Remedy File

new time

grievance: Attachment: 6-30-2015

2:06 pm

Inmate Andres Cano-bomez was involved in an incident with officer [redacted] on the date of 4-12-2015 at 1928 hours. I was falsely accused of not locking down and inciting a riot. Due to false allegation I was placed in handcuffs, slammed to the concrete floor faced down while in cuffs. I did not resist nor did I put up any type of fight to make the officer to believe I was resisting. Officers involved in this unnecessary force was officer Timbs, officer Colombo (tazering officer) officer Galantie (the apprehending officer) and officer Burns. Sgt. Taylor was also present. On this said date at the exact time of 1928 hours a fight broke out in room and Dorm A8 between Anthony Fields and officer Cromer. On the top tier of the dorm, Top tier was out on rotation when this all occurred. After Mr. Fields was apprehended we was ask to back down. Since the incident happened on the top tier we seen everything that happen from our rooms because the gates for left open. Mostly all the inmates witness the officer going way to aggressive with inmate Fields. we was yelling stop let him go your hurting him because he was already in cuffs and they was rough housing him. One of the officers pointed me out and yelled cuff him cause we personally heard me saying stop your hurting him. Officer Galantie came to my room asked me to face the wall and put my hands behind my back. I put my hands behind my back and was asking the officer stay was I being cuffed I also told him their cuffing me because I seen and spoke on the roughness of inmate Fields after being cuffed and escorted out my cell I ask again, "what rules I break? why am I being arrested,"? I looked back at the officer hoping to get a response when I looked back officer Galantie grabbed the back of my neck and the front of my jumpsuit and slammed me face down on my chest

lution Desired: Open for suggestions. seeking further action if situation can not be

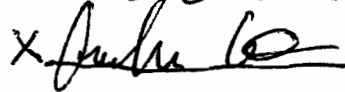
Solved. looking to speak with an Attorney in this matter

came over and shot me in my left shoulder with the tazer. All this while I was still in cuffs. I was tased for about 25 to 35 seconds. I just gotten out the shower body and hair still partially wet this was necessary use of force, not in percular of an correctional officer and just plain unhuman like the way I was. treated. I was sent to medical and after that sent to lockdown. I was punish wrongfully, shot with a tazer, slammed and rough housed like an animal. All this for me witnessing an incident with the correctional officers handling a situation wrongfully. I was apprehended and escorted out of my room so how did I fail to lockdown. I was concerned for a persons life yelling bring to get other officers to come in dorm 8 and telling them know we see this and for them to quit beating up a person (person being inmate fields). How was this inciting a riot? If I was wrong for any of this than I don't want to be right. I witness this not turned it then it turned around and it happened to me. I talked different officers, put in for grievances on the kiosk machine, complained on kiosk machine in order to get some help with this situation. Nothing came of this. I've been complaining of chest pains, shortness of breath and constant headaches nothing came of this. I was refused grievance forms until the date of June 29. 15. It been a 2 month wait for a grievance forms after talking to multiple CO's, Sgt's. and L's. I was refused help about this incident for 2 months. I know im an inmate but this is wrong and something has to be done. I couldn't get statements from other inmates cause I was taken out Dorm 8 in Pod 2. they were the only witnesses beside 2 officers involved in the incident. I feel neglected, mistreated, and injured because of wrong doing to these officers. No one cared or even asked or took any statement from 2 or other inmates who witnessed this. Im seeking further help with this situation in in when there is steps to get help with this inside the facility. No one cared. Im asking for help with all this situation. I want to speak with an attorney in this

Solution: Attachment: B

Solution Desired: Open for suggestions. Seeking further action if situation can not be solved. Looking to speak with an Attorney in this matter.

Andres Cano - Gomez

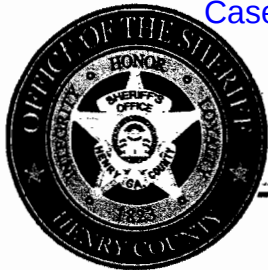
X. 

4B

Grievance Add-On: Attachment

While Sgt. Taylor was escorting me to medical Officer Colombo stated, "the only reason I tazed you was because the officer told me to." Which Sgt. Taylor witnesses this comment, which lets me know there was no real reason to taze me. The conversations on camera between Sgt. Taylor, Officer Colombo, and myself.

Andreas C. Gomez
x Quinn 



Office of the Sheriff Henry County

1:16-CV-1933

Patricia Thompson SHERIFF

To: Cano-Gomez, Andres Pin# 0098518

Ref: Grievance / JDC Violation/Rebuttal

On 7/06/2015, I received a grievance form from Inmate Cano-Gomez, Andres Pin# 0098518 stating that Deputy Noble fail to serve him the JDC rule violation in a timely manner.

I proceeded with the investigation of the grievance filed by Cano-Gomez, Andres. The investigation included a review of incident reports filed and The JDC report.

After reviewing all evidence, I come to the conclusion that Deputy Noble acted well within her duties in serving the JDC. The incident happened on 4/12/2015 her off days was on the 13th and 14th and handled on the 15th. The rebuttal procedure therefore is another situation altogether, Sgt. Clark stated he placed it in Deputy Noble's box but she don't remember having it is a valid complaint in which. I have put in place a rebuttal file folder that all rebuttal will be placed into so that this will not happen again.

I wanted to also state that your actions would have put you in A1 or Isolation without a JDC violation due to use of force by the officers and that other criminal charges should have been taken against you.

Lieutenant G.D. Brownlee

Inmate Relations

ps: It still didn't solve the fact
that the violated my rights
as an inmate and a person.

Cano-Gomez, Andres. DZ 237

Served 10 days in lockdown because of this:

On the 16th of April, I Andres Gomez received a copy of ~~my~~ ^{my} Rule Violation Report from the incident that occurred on 4-12-2015 at 1928 hours. First it took longer than 72 hours to be presented with the report, and it states in the Henry County Handbook, "Any Violation Report that takes longer than 72 hours to answer is suppose to be dismissed". The write up was brought to me by Officer Noble 4 days later. Also in the Henry County Handbook it states, That an inmate has the right to appeal the write up. The guidelines also state that you have to have a proper hearing with a Sgt. that's on shift, The inmate accused The accusing Officer, and an Inmate Representative in order for a decision to be made. I ^{did} ~~was~~ not ^{receive} ~~taking~~ ~~the~~ the proper process, and my rights was ignored. Due to this I was falsly convicted of Rules and Regulations of the jail. I filled out a rebuttle for ^{to turn in to Ms. Noble} turned it in to Sgt. K. Clark ^{this matter.} and nothing came of ~~it~~. I asked Ms. Noble about my Rebuttle Form ^{and} she said she never received it. This is also the officer I asked for an appeal. Nothing came of ^{the appeal matter also.} ~~that~~ Sgt. Clark with whom I spoke with again told me himself that he placed the form in her mail box personally. My rights as an inmate as violated, I was falsly taxed, man handled, slammed, ^{in lockdown for 10 days,} and charged. Due to this ^{matter} improper process, I have been stressed emotionally and menthly because of this. ~~This matter~~ ^{this matter} caused me to have more time in the Henry County Jail and a possible Violation of Probation. Something has to be done about this matter that was ignored wrongfully. Im seeking further action in this matter. to help solve this situation.

do not Another Piece of Paper!

solution Desired: I ~~don't~~ know what action needs to be taking in this manner. I do know this was ~~again~~ against inmate rights. Im open for suggestions, but looking to seek further action and looking to speak with a ~~an~~ Attorney. If theres something that could be done I'm willing and open for suggestions.

1005 - - - - - necessary and

1:16-CV-1933

HENRY COUNTY JAIL
RULE VIOLATION REPORT

REPORT NUMBER: _____

RULE VIOLATION(S) 1-6; 2-1a; 2-1b, 2-1cLOCATION OF INCIDENT: A8 Dayroom - top tierDATE & TIME OF INCIDENT: 4-12-2015 1928

ACCUSED INMATE(S)

1: Cano-Gomez, Andres Camilo - 0098518

2: _____

3: _____

4: _____

WITNESS(ES)

1: Officer Timbs2: Officer Colombo3: Officer Galantie4: Officer Burns

COPY

NARRATIVE:

On 4/12/2015 at 1928 while conducting Law Library, Inmate Cano-Gomez, Andres Camilo (Pin - 0098518) failed to comply with orders to lock down while Officer Timbs and I were struggling to control Inmate Fields, Anthony Jamal (Pin - 0090975) during a fight. Inmate Cano-Gomez used profanity and tried to incite a riot on the top tier until other officers arrived.

not right
where the
report

Cromer / Cromer 5650
(Reporting Officer)

Informal Sanctions for Class 3 violation(s): _____

I do not dispute the violation(s) and agree to comply with the informal sanction suggested by the officer. _____

(Inmate's Initials)

Has inmate been placed in administrative segregation as a result of this incident? ☐ No ☐ Yes

(Authorizing Supervisor)

Supervisor's Sanctions Imposed? ☐ No ☐ YesLoss of privileges (Store ☐ Visitation ☐ Yard ☐ until: _____ 23 hour lockdown ☐ Release: _____Has the inmate been given a copy of the Rule Violation Report? ☐ No ☐ Yes

(Serving Officer)

(Date & Time)

Did the inmate wish to make a written response or provide names of additional witnesses?

☐ No☐ Yes

(Inmate's Signature)

(When will he or she turn it in?)

- If the inmate does not file a written response, the presumption is that he or she does not dispute the reporting officer's version of events. If the inmate wishes to file a rebuttal, the serving officer shall provide a Rule Violation-Rebuttal, and note the time when it will be returned. The inmate can have up to 24 hours to submit the rebuttal.
- If supervisor sanctions are imposed, the inmate may still file a rebuttal which will be forwarded to the Hearing Officer. The Hearing Officer may dismiss the rule violation, leave the findings and sanctions of the supervisor intact, reduce the sanctions, or increase the sanctions as authorized by policy.

Apb 10/10/16
(Supervisor)

4-14-15

X Andres CanoState ment copy X Arhe ~~Co~~

During Anthony Fields altercation. Officer Crooner was using extreme ^{excessive} force over an alarm band. Officer Crooner was ~~checking~~ ~~choking~~ choking him and punching him rapidly. At one point when he was choking him Anthony Fields was turning pale. That's when I said to officer Crooner to let go of him, ~~because~~ ~~he was~~ ~~the~~ ~~fact of the way~~ ~~Anthony~~ was getting pale. So officer Crooner told me to step in my room. And I did so. During the time I step into my room, the other officers arrived. ~~During~~ During their arrival they tazed Anthony Fields and put him in hand cuffs. After they put him in the hand cuffs, officer Crooner told the arrival officers to put me in hand cuffs. So one of the officers ~~then~~ went inside of the room and told me to turn against the wall and I did so. After the officer put the hand cuffs on me, he took me out of the room to the top tier. And told one of the other officers to take me to A.I. So I asked the officers what am I in hand cuffs and why am I going to A.I., during that conversation that ~~officer~~ officer slammed me on the ground and yelled that I was ~~refusing~~ ~~refusing~~ refusing to go to A.I. But I don't know how that happen, since I was walking toward the steps. So during while I was on the floor, I was down and I was in a

officer colombo

the officer who slammed me, ~~to one of the~~
~~the officer~~ to taze me And he. didn't ~~do~~ ~~they~~
~~themselves~~ for no apparently reason. I was not
 even moving to the fact of the officer who slammed
 me and put his boot on my back using his
 body weight. So it wasn't no reason to even taze
 me or to arrest me and take me to A.I. After they
 snatched the things that belong to the tazer out
 of my back they took me to see the nurse.
 During the nurse visit I got extreme pain in
 my head from the tazer. due to the fact that
 my hair was wet and extreme pain in my
 neck and ankle due to my prior car accident.
 I ask them to take me to the hospital and
 they refused. And also they didn't even give
 me ~~any~~ anything for pain until the next day.
 so due to that whole situation they charged me
 with Felony ~~obstruction~~ obstruction on ~~a~~ a
 law enforcement. I don't know why I got charged
 with that ~~if~~ ^I I never put my hands on, no
 officer and I didn't fight or refuse anything
 that they were saying. They used ~~un~~ extremely
 unecessary force and punishment towards me for
 no apparently ~~reason~~ ~~no~~ reason. I also have
~~no~~ witnesses that would testify and write
 statements. This is there name R. benethfield,
 David. Jones and the rest all this has been in A.I.

**STATE COURT OF HENRY COUNTY
SENTENCE AND PROBATION ORDER
PAGE ONE**

STATE OF GEORGIA vs.

SERVE WITH SUSPENSION ☒ NCASE NO. 15 SR / TR 1565 5TH

DEFENDANT

Disposition is made of the charges against Defendant as follows:

COUNT	OFFENSE	DISPOSITION (Guilty/Found guilty)	SENTENCE	FINE: Inclusive Of Surcharges
1	Disorderly Conduct	Guilty	6 months jail	
			Added more	
			time to my	
			Sentence. Emotional re	

IT IS HEREBY COMMANDED that the above DEFENDANT serve a sentence of 6 months, consisting of 6 days/months in jail and the remainder on Probation subject to the requirements and conditions of this Order. Concurrent to any other jail sentence.

- (1) Jail time to be served instantly in 48 hour increments weekly begun by . Book/fingerprint/release by .
- (2) Probation period to begin instantly/consecutive to . No probation if paid by .
- (3) This sentence may be served on the **Work Release Program** subject to all rules attendant thereto.
- (4) This sentence shall commence upon Defendant's release from his/her present incarceration and all incarceration following consecutively thereupon. As a term and condition of this sentence, Defendant shall notify probation of his/her release from incarceration within 48 hours thereof. This sentence shall not begin running until probation shall receive such notice from Defendant. Defendant's failure to notify probation of his/her release from incarceration shall be a violation of the conditions of this sentence authorizing revocation of this sentence of probation.
- (5) Defendant shall serve months of this sentence under house arrest with electronic monitoring (with alcohol sensor/ GPS).
- (6) Defendant shall report in person/ in writing no less than (Weekly / Monthly / Semi-Monthly / Quarterly) as directed by probation.
- (7) In addition to the fine amounts provided above, and probation fees and costs provided in paragraph 10, below, Defendant shall pay the following amounts:

Court Costs	Attorney Fee/Restitution to Henry Co.	Victim/Other Restitution	Multiple Offender Photo	Contempt	Other:

- (8) Fines and court costs (but not probation fees or victim restitution) may be paid via community service in lieu of cash, credited at the rate of \$10 per hour worked. Attorney fee restitution may/may not be paid via community service.
- (9) Victim restitution is to be paid through probation to (give name only): .
- (10) In addition to all other amounts due hereunder, Defendant shall pay supervision fees, drug testing fees, electronic monitoring fees and other costs as directed by probation, as approved by the Court.
- (11) Defendant shall comply with the Court's General Conditions of probation (see opposite side).
- (12) Defendant shall perform hours of community service work at a rate of hours per week. Said work shall be performed in Henry County/county of residence.
- (13) Defendant shall not consume any alcoholic beverages, illegal drugs or narcotics nor be in the presence of anyone consuming alcohol, illegal drugs, narcotics or any other substances which may prove dangerous to oneself or others.
- (14) Within days of the commencement of the probationary period, Defendant shall undergo an evaluation for: substance abuse / anger management / family violence / general mental health issues by a professional counselor which must include a drug screen, and shall sign whatever papers necessary to have reports sent to probation. Defendant shall supply the evaluator with a current copy of his/her criminal history and the incident report from this incident. The recommendations of the evaluator shall become a part of the probation requirements, and Defendant shall strictly comply therewith.
- (15) Defendant shall attend a minimum of **NA/AA/similar self-help 12-step program meetings each week** for the duration of Probation.
- (16) On each report to Probation, Defendant shall bring **proof of attendance of AA meetings, counseling, and a written statement as to the consumption of drugs/alcoholic beverages during the probation period.**
- (17) At his/her own expense, Defendant shall attend:
- | | | |
|--|---|---|
| <input type="checkbox"/> Anger Management Counseling | <input type="checkbox"/> Family Violence Counseling | <input type="checkbox"/> Substance Abuse Program |
| <input type="checkbox"/> Defensive Driving School | <input type="checkbox"/> Risk Reduction School | <input type="checkbox"/> DUI Court |
| <input type="checkbox"/> Theft Offender Counseling | <input type="checkbox"/> Victim Impact Panel | <input type="checkbox"/> Other: <u> </u> |
- Said program(s) to be begun within days of commencement of the probationary period and continuing until successful completion of the program(s).
- (18) Defendant shall be subject to a drug/alcohol screen at the direction of a probation officer, at Defendant's expense.
- (19) Defendant shall submit to search of his/her person and property upon request by any probation supervisor or certified police officer.
- (20) Defendant is to have no contact / no violent contact with .
- (21) Defendant shall complete the requirements for obtaining a General Equivalency Diploma (G.E.D.).
- (22) Probation will be non-reporting / terminated upon performance of all special conditions, with no violations, to serve a minimum of months.
- (23) Defendant shall obtain / reinstate Georgia Driver's License by .
- (24) Other .

SO ORDERED this 23rd day of June 20 15.

DECLARATION BY DEFENDANT: I have read or have had read to me the conditions of probation in this Order (including the Court's General Conditions of Probation on page two). I understand that my probation is an alternative to a jail sentence. I also understand my probation may be revoked and the balance of my probation served in jail if I fail to abide by the conditions of this sentence.

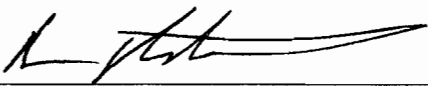
IN THE STATE COURT OF HENRY COUNTY
STATE OF GEORGIA
PAGE TWO

IN RE: General Conditions of Probation

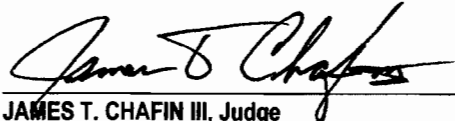
ORDER

- A. The following general conditions of probation shall apply in each sentence on each case in which the Court places a Defendant on probation:
- (1) do not violate the criminal laws of any government unit;
 - (2) avoid injurious and vicious habits – including alcohol intoxication and use of narcotics and other dangerous drugs unless lawfully prescribed;
 - (3) avoid persons or places of disreputable or harmful character;
 - (4) report to the probation supervisor as directed and permit such supervisor to visit Defendant at home or elsewhere;
 - (5) work faithfully at suitable employment insofar as may be possible;
 - (6) do not change place of abode, move outside the jurisdiction of the Court or leave the state for any period of time without prior permission of the probation supervisor;
 - (7) support Defendant's legal dependent(s) to the best of Defendant's ability; and,
 - (8) if permitted to move or travel to another state, agree to waive extradition from any jurisdiction where he/she may be found and not contest any effort by any jurisdiction to return him/her to this state.
- B. The Defendant shall pay any fine, restitution, costs, probation supervision fees, or any other sum of money lawfully imposed by this Court or by law as and when instructed by his/her probation supervising officer, and shall pay for any counseling and/or treatment ordered by the Court.
- C. The Defendant shall not violate the rules of the Henry County Detention Center or the Henry County Annex while incarcerated therein or under the jurisdiction thereof.
- D. The probation supervision officer shall advise the Defendant that the Court may, at any time, revoke or modify any conditions of the probation and/or discharge the Defendant from probation. The probationer shall be subject to arrest for violation of any conditions of probation ordered by the Court. If such probation is revoked, the Court may order the execution of the sentence which was originally imposed or any portion thereof, in the manner provided by law, after deducting therefrom the amount of time Defendant has served on probation.
- E. All payments are to be paid through the Court's designated provider of supervision services at a rate to be determined by the probation supervising officer and beginning at such time as may be designated by the probation supervising officer. All court costs, costs of extradition or apprehension related to violation of probation by Defendant will be assessed against Defendant.
- F. The above and foregoing general conditions of probation shall remain in effect with respect to each case, until the further Order of this Court. These general conditions of probation shall be in addition to, and not in lieu of, any other conditions of probation which the Court may impose in Defendant's sentence for each case.
- G. Each special condition of probation imposed on the face of this sentence is imposed as to all counts upon which Defendant is sentenced.
- H. A copy of this Order along with a copy of the Court's sentence shall be given to each Defendant and each Defendant shall acknowledge in writing, by an appropriate form to be supplied by the probation supervising officer, that Defendant has received said items.
- I. Defendant is hereby notified that any habeas corpus petition challenging the legality of this conviction must be filed within one year from the date of this sentence pursuant to O.C.G.A. § 9-14-42 (six months for traffic offenses).

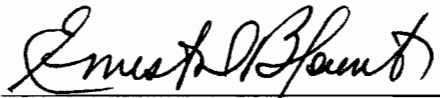
SO ORDERED, this the _____ day of _____, 20____.



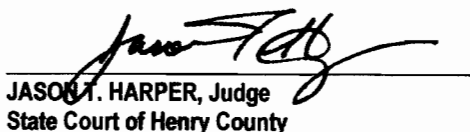
BEN W. STUDDARD III, Chief Judge
State Court of Henry County



JAMES T. CHAFIN III, Judge
State Court of Henry County



ERNEST D. BLOUNT, Judge
State Court of Henry County



JASON T. HARPER, Judge
State Court of Henry County

THE SUPERIOR COURT OF HENRY COUNTY

THE STATE OF GEORGIA

CRIMINAL ACTION NO. 2013 SUCR 1049AM

-VS-

Andres Camilo Cano-Gomez**1:16-CV-1933**PROBATION REVOCATION ORDER

Whereas pursuant to notice given to the defendant, the above matter came before the Court on the date aforesaid and the Court has adjudicated that the terms and conditions of probation had been violated as set forth in the following particulars: ☒ Stipulation ☐ Hearing

☒ Defendant has committed the subsequent offense(s) as alleged in the petition or:
☐ Failure to report ☐ Failure to pay restitution
☐ Failure to complete Community Service ☒ Failure to pay fine and/or fees
☐ Failure to avoid injurious or vicious habits ☐ Failure to advise Probation Officer of current residence/employment
☐ Failure to complete A/D evaluation/counseling ☐ Failure to complete GED
☐ Other _____

NOW, THEREFORE, it is ordered and adjudged that the Defendant has violated the terms of probation ordered by the Court, therefore:

☐ No Adjudication of Guilt in First Offender/Conditional Discharge Sentence. ☐ Time to be served in the State Penal System.
☐ Reinstated to all original conditions of probation w/ instructions to report on _____. ☐ Time to be served in the Henry County Jail.
☐ Complete a Probation Detention Center for 60-120 days or _____ days. ☐ Remain in custody while awaiting entry
☐ Complete a Probation Boot Camp for 90-120 days. ☐ Remain on street while awaiting entry
☐ Complete the Probation Substance Abuse Treatment Center and aftercare.
☐ Complete the Integrated Treatment Program and aftercare.
☐ Complete Special Condition Added- _____
☐ Revoked for _____, then remanded back to probation under all original conditions.
☐ Revoked for _____ and case closed. ☒ All monies declared uncollectable
☐ Curfew to be established by Probation for a period of _____ months ☐ Probation supervision fee shall be waived
☐ Complete _____ hours of Community Service. ☐ Shall pay no less than \$ _____ per month until all monies are paid in full
☐ Search and Specimen Clause ☐ Report in person for _____ months
☐ Report IN PERSON to the McDonough Probation Office within 24 hours of release from custody
☐ Credit for time served since _____ ☒ Shall run concurrent to any sentence currently being served.

☒ Other shall receive credit for any time previously served on probation

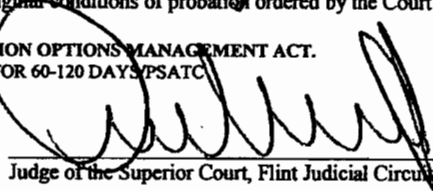
ADJUDICATION OF GUILT ENTERED IN CONDITIONAL DISCHARGE SENTENCE.

☒ FIRST OFFENDER SENTENCE VACATED AND ADJUDICATION OF GUILT ENTERED. It is ordered and adjudged by the Court that the said defendant is hereby sentenced to confinement for a period of 10 years, serve 2 years in the State Penal System or such other institution as the Commissioner of the Georgia Department of Corrections may direct, to be computed as Provided by law. HOWEVER, it is further ordered by the Court:

- [] 1) THAT the above sentence may be served on probation under all original conditions of probation ordered by the Court.
☒ 2) THAT upon service of 2 years of the above sentence, the remainder of 8 years may be served on probation PROVIDED that the said defendant complies with the original conditions of probation ordered by the Court

DEFENDANT HAS BEEN SENTENCED UNDER THE PROVISIONS OF THE PROBATION OPTIONS MANAGEMENT ACT.
 THE SANCTION CEILING UNDER THIS ACT IS SET AT THE DETENTION CENTER FOR 60-120 DAYS/PSATC

SO ORDERED, this 23rd day of June, 2015.


 Judge of the Superior Court, Flint Judicial Circuit

SC-6.2 Final Disposition Felony Sentence With Probation

IN THE SUPERIOR COURT OF HENRY COUNTY, STATE OF GEORGIA

STATE OF GEORGIA versus

ANDRES CAMILO CANO-GOMEZ

CRIMINAL ACTION #:

2015-SU-CR-338AMJuly Term of 2015Clerk to complete if
incomplete:OTN(s): 88398255816DOB: 5/28/1993Ga. ID#: 4007923WFILED IN OPEN COURT
SUPERIOR COURT
HENRY COUNTY, GA

AUG 17 2015

Dorothy C. Fountain
CLERK OF SUPERIOR COURTFinal Disposition:
FELONY with CONFINEMENTFirst Offender/Conditional Discharge
entered under:

PLEA:

VERDICT:

☐ O.C.G.A. § 42-8-60 ☐ O.C.G.A. § 16-13-2☒ Negotiated ☐ Non-negotiated☐ Jury ☒ Non-jury☐ Repeat Offender as imposed below☐ Repeat Offender waived

The Court enters the following judgment:

Count	Charge (as indicted or accused)	Disposition (Guilty, Not Guilty, Guilty-Afford, Guilty- Lesser Incl, Nolo, Nol Pros, Dead Docket)	Sentence	Fine	Concurrent/ Consecutive, Merged, Suspended
1	OBSTRUCTION OF AN OFFICER (F)	GUILTY - LESS OBSTRUCTION OF AN OFFICER - MISDEMEANOR	11 MONTHS TO SERVE		CONCURRENT WITH ANY SENTENCE SERVING
2	TERRORISTIC THREATS	NOLLE PROSEQUI			
3	VGCSA - POSSESSION OF MARIJUANA LESS 1 OZ	GUILTY	11 MONTHS TO SERVE		CONSECUTIVE TO CT 1
4	DRIVING UNDER THE INFLUENCE (ALCOHOL)	NOLLE PROSEQUI			

The Defendant is adjudged guilty or sentenced under First Offender/Conditional Discharge for the above-stated offense(s); the Court sentences the Defendant to confinement in such institution as the Commissioner of the State Department of Corrections may direct, with the period of confinement to be computed as provided by law.

Sentence Summary: The Defendant is sentenced for a total of 22 MONTHS, ☐ with the first _____ to be served in confinement and the remainder to be served on probation; or ☐ to be served on probation.

The Defendant is to receive credit for time served in custody: ☐ from ~~12/2/15~~ or ☐ as determined by the custodian.

Feb. 2, 2015 ~~Feb 2, 2015~~

☐ 1. The above sentence may be served on probation provided the Defendant shall comply with the Conditions of Probation imposed by the Court as part of this sentence.

☒ 2. Upon service of 22 MONTHS, the remainder of the sentence may be served on probation; PROVIDED, that the Defendant shall comply with the Conditions of Probation imposed by the Court as part of this sentence.

ADDENDUM TO SENTENCE SHEET REFLECTING SURCHARGES, ADD-ONS, AND FEES REQUIRED BY LAW

	COUNT	COUNT	COUNT	COUNT	COUNT	COUNT
COURT COST						
FINE						
POPIDF-A FUND (10% TO MAX)	0.00	0.00	0.00	0.00	0.00	0.00
POPIDF-B FUND (10%)	0.00	0.00	0.00	0.00	0.00	0.00
JAIL FEE (10%)	0.00	0.00	0.00	0.00	0.00	0.00
DUI SURCHARGE (10%/\$26 MAX)						
DATE SURCHARGE (50%)						
CRIME VICTIM ASSISTANCE (5%)	0.00	0.00	0.00	0.00	0.00	0.00
LAW LIBRARY						
BSIT FUND (10%) DUI'S ONLY						
DETF (5%)						
TOTAL: COURT COSTS AND FINES	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00
PLUS CRIME LAB FEE						
TOTAL TO CLERK OF COURT						

and a **PROBATION FEE** of \$23.00 and **\$9.00 G.C.V.E.F.** per month.

☐ 3. The Court sentences the Defendant as a recidivist under O.C.G.A.:

☐ § 17-10-7(a); ☐ § 17-10-7(c); ☐ § 16-7-1(b); ☐ § 16-8-14(b); or ☐ § ____.

GENERAL CONDITIONS OF PROBATION

The Defendant is subject to arrest for any violation of probation. If probation is revoked, the Court may order incarceration. The Defendant shall comply with the following General Conditions of Probation: 1) Do not violate the criminal laws of any governmental unit and be of general good behavior. 2) Avoid injurious and vicious habits. 3) Avoid persons or places of disreputable or harmful character. 4) Report to the Probation Officer as directed and permit the Probation Officer to visit you at home or elsewhere. 5) Work faithfully at suitable employment insofar as may be possible. 6) Do not change your place of abode, move outside the jurisdiction of the Court, or leave Georgia without permission of the Probation Officer. If permitted to move or travel to another state, you agree to waive extradition from any jurisdiction where you may be found and not contest any effort by any jurisdiction to return you to this State. 7) Support your legal dependents to the best of your ability. 8) When directed, in the discretion of the Probation Officer: (a) submit to evaluations and testing relating to rehabilitation and participate in and successfully complete rehabilitative programming; (b) wear a device capable of tracking location by means including electronic surveillance or global positioning satellite systems; (c) complete a residential or nonresidential program for substance abuse or mental health treatment; and/or (d) agree to the imposition of graduated sanctions as defined by law. 9) Make restitution as ordered by the Court.

FINE SURCHARGES or ADD-ONS: The Court assesses all fine surcharges or add-ons as required by the laws of the State of Georgia and as are applicable to offense(s) for which the Defendant has been convicted.

- 1) The Court orders that: the Defendant shall pay the probation supervision fee as required by law; or ☐ the probation supervision fee is waived.
- 2) If counsel was provided under the Georgia Indigent Defense Act: ☐ the Defendant shall pay the \$50 Public Defender Application Fee; or ☐ the Public Defender Application Fee is waived.
- 3) If counsel was provided at public expense: ☐ the Defendant shall pay attorney's fees of \$_____ to HENRY County; or ☐ attorney's fees are waived.
- 4) The Defendant shall pay the Crime Lab Fee as required by law.

SPECIAL CONDITIONS OF PROBATION

The Defendant is advised that violation of any Special Condition of Probation may subject the Defendant to a revocation of probation and the Court may require the Defendant to serve up to the balance of the sentence in confinement. The Defendant shall comply with all Special Conditions of Probation: ☐ as designated on the attached Inventory of Special Conditions of Probation; or ☐ as follows: *(import conditions to be imposed from Inventory of Special Conditions of Probation)*.

FIRST OFFENDER OR CONDITIONAL DISCHARGE

(If designated by the Court)

The Defendant consenting hereto, it is the judgment of the Court that no judgment of guilt be imposed at this time but that further proceedings are deferred and the Defendant is hereby sentenced to confinement at such institution as the Commissioner of the State Department of Corrections or the Court may direct, with the period of confinement to be computed as provided by law.

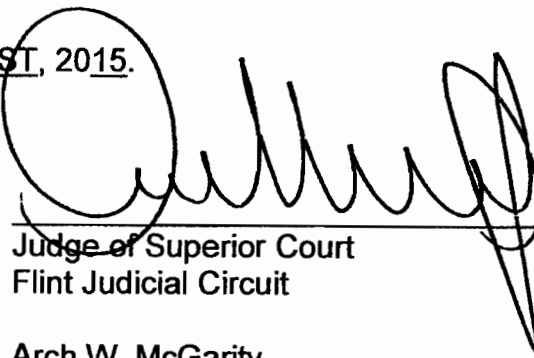
Upon violation of the terms of probation, upon conviction for another crime during the period of probation, or upon the Court's determination that the Defendant is or was not eligible for sentencing under the First Offender Act or for Conditional Discharge, the Court may enter an adjudication of guilt and proceed to sentence the Defendant to the maximum sentence as provided by law.

Upon fulfillment of the terms of this sentence, or upon release of the Defendant by the Court prior to the termination of this sentence, the Defendant shall stand discharged of said offense without court adjudication of guilt and shall be completely exonerated of guilt of said offense charged.

For Court's Use: THIS BLOCK AREA WILL EXPAND AS INFORMATION IS TYPED. PLEASE NOTE THAT SPECIAL SENTENCING CONDITIONS SHOULD BE ENTERED ON PAGE 2 IN THE SECTION TITLED AS 'SPECIAL CONDITIONS OF PROBATION' AND SHOULD NOT BE LISTED IN THIS SECTION.

The Hon. JEAN C. SPERLING, Attorney at Law, represented the Defendant by: ☒ employment; or ☐ appointment.

SO ORDERED this 17TH day of AUGUST, 2015.

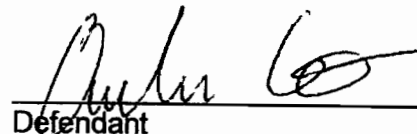


Judge of Superior Court
Flint Judicial Circuit

Arch W. McGarity

FIREARMS – If you are convicted of a crime punishable by imprisonment for a term exceeding one year, or of a misdemeanor crime of domestic violence where you are or were a spouse, intimate partner, parent, or guardian of the victim, or are or were involved in another similar relationship with the victim, it is unlawful for you to possess or purchase a firearm including a rifle, pistol, or revolver, or ammunition, pursuant to federal law under 18 U.S.C. § 922(g)(9) and/or applicable state law.

Acknowledgment: I have read the terms of this sentence or had them read and explained to me. If all or any part of this sentence is probated I certify that I understand the meaning of the order of probation and the conditions of probation. I understand that violation of a special condition of probation could result in revocation of all time remaining on the period of probation.



Defendant



Nathan Deal
Governor

SENTENCE COMPUTATION REPORT
5/11/16 10:32 AM



Homer Bryson
Commissioner

1:16-CV-1933

Computation Reason :
Computation Comments :

Name: **Cano-Gomez, Andres Camilo** GDC#: **1001265017** Case Number#: **808765**
Alias: **Cano Gomez, Andres Camilo; Cano-Gomez, Andres Camilo**
Previous Case Number(s): **808765**
Race: **HISPANIC** Sex: **M** DOB: **05/28/1993**
Sex Offender: **N/A** SSN#: **667099309**
FBI#: **923110KD3** SID#: **4007923W** Current Security: **MEDIUM**

Tentative Parole Date: Actual Parole date: Maximum Release Date: **03/12/2017**

Boot Camp

No Boot Camp decisions have been made for this offender.

Docket#: **2013SUCR649AM** County: **HENRY COUNTY** Docket Status: **INMATE**
Sentence date: **06/23/2015** Sentence Start Date: **03/13/2015** MRD: **03/12/2017**
Probation Start Date: **03/13/2017** Sentence End Date: **03/12/2025** Special Considerations: **NONE**
Judge: **MCGARITY, ARCH W** District Attorney: **MAHAFFEY** Consecutive To:
SB 440: **N** SB 441: **N**

Count :1 **POSS OF MARIJUANA - FELONY** Consecutive To :
Sentence Run Type: **GUILTY - SENTENCE** Crime Committed date: **07/26/2013**
Sentence Length : **10 Years, 0 Months, 0 Days** Serv Time: **2 Years, 0 Months, 0 Days**
Comments:

Sentence Adjustments

Reason	From	To	Plus or Minus	Total Days	Deleted
JAIL CREDIT	03/13/2015	06/22/2015	MINUS	102	NO

Revocations

No Revocations found for this Docket.

added a hole in the year



Nathan Deal
Governor

SENTENCE COMPUTATION REPORT

7/16/15 12:50 PM



Homer Bryson
Commissioner

medium

Computation Reason : **NEW SENTENCE**
Computation Comments : **APPLIED DOCKET#2013SUCR649AM SW**

Name: **Cano-Gomez, Andres Camilo** GDC#: **1001265017** Case Number#: **808765**
Alias: **Cano Gomez, Andres Camilo; Cano-Gomez, Andres Camilo**
Previous Case Number(s):
Race: **WHITE** Sex: **M** DOB: **05/28/1993**
Sex Offender: **N/A** SSN#: **667099309**
FBI#: **923110KD3** SID#: **4007923W** Assigned Location: **GA DIAG CLASS PRISON**
Current Security: **MEDIUM** Education Level: **9**

Tentative Parole Date:

Actual Parole date:

Maximum Release Date: **03/09/2016**

Boot Camp

No Boot Camp decisions have been made for this offender.

Docket#: **2013SUCR649AM** County : **HENRY COUNTY** Docket Status : **INMATE**
Sentence date : **06/23/2015** Sentence Start Date: **03/10/2014** MRD: **03/09/2016**
Probation Start Date: **03/10/2016** Sentence End Date: **03/09/2024** Special Considerations: **NONE**
Judge: **MCGARITY, ARCH W** District Attorney: **MAHAFFEY** Consecutive To:
SB 440 : **N** SB 441: **N**

Count :1 **POSS OF MARIJUANA - FELONY** Consecutive To :
Sentence Run Type: **GUILTY - SENTENCE** Crime Committed date: **07/26/2013**
Sentence Length : **10 Years, 0 Months, 0 Days** Serv Time: **2 Years, 0 Months, 0 Days**
Comments:

Sentence Adjustments

Reason	From	To	Plus or Minus	Total Days	Deleted
FOA PROBATION CREDIT	03/10/2014	06/22/2015	MINUS	470	NO

Revocations

No Revocations found for this Docket.